

South Coast Air Quality Management District

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Small Business Assistance Conference

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Compliance Deadlines and Upcoming Rules

South Coast Air Quality Management District

Mohsen Nazemi, Assistant Deputy Executive Officer, Engineering & Compliance

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SCAQMD, Diamond Bar
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Assistant Deputy Executive Officer
South Coast Air Quality Management District

Rule Compliance Deadlines –Target Date(s)

- Examples of compliance deadlines to be met by specific date(s)
 - Prohibition in the use of equipment or material
 - Lowering of VOC content of coatings and/or solvents
 - Modification of equipment or addition of air pollution control equipment
 - Submission of an application or compliance plan
 - Submittal of progress reports, written statements, monitoring data, source test reports

Air Quality Rules and Regulation

- Applies to New, Modified or Relocated Equipment
 - New Source Review (NSR) Rules (Criteria and Toxic Pollutants)
- Applies to New and Existing Equipment
 - Source Specific Rules (Reg. XI & Reg. XIV)
 - Prohibitory Rules (Reg. IV)
 - Large Source Regulations (RECLAIM, Title V)
 - Federal and State Regulations (NPS, NESHAP/MACT, ATCM)
- Area Source Rules (Non-Permitted Equipment)

Rule Compliance Deadlines -Ongoing

- Examples of Typical Ongoing Compliance Deadlines are for:
 - Monitoring
 - Record-keeping
 - Reporting
 - Source testing
 - Certification of new operators

Rule(s) Compliance Deadlines

- May apply to permitted and un-permitted equipment
- May not be stated explicitly in permits issued
- Permit conditions may have general requirements to comply with source specific rules and regulations

Determining Compliance Deadlines

- The AQMD provides:
 - Targeted notices to affected facilities and particular associations of deadlines in source specific rules
 - Updates in Newsletter (AQMD Advisor)
 - Updates at AQMD's website – www.aqmd.gov
 - AQMD staff contacts



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Determining Compliance Deadlines *(conf'd)*

- The Facility Operator should:
 - Check permit conditions for information on applicable rules and regulations
 - e.g., The equipment shall operate in compliance with Rule 1136
 - Check the applicable rules and regulations to determine compliance deadlines
 - (these are available on the AQMD's website, by subscription, or free from AQMD's information center).
 - Consult with AQMD's Small Business Assistance Office or compliance personnel

Rules With Approaching Compliance Deadlines

- Rule 1102 (c)(4) – Non PERC Dry Cleaning Machines
 - Effective date January 1, 2003
 - Restrictions on use of transfer machines.
- Rule 1110.2 Emissions from Gaseous and Liquid Fueled Engines
 - By April 30, 2003
 - Submit applications for engines and control equipment to be installed to demonstrate compliance with emission limits in Rule 1110.2 (d)(1).
- Rule 1121 - Control of Nitrogen Oxides From Residential Type, Natural Gas-Fired Water Heaters
 - On or before July 1, 2003
 - Submit interim progress reports on technology to demonstrate how compliance will be achieved, to meet the NOx emission level specified under paragraph (c)(3).

Outreach on Upcoming Rules

- Rule Making Calendar posted on AQMD's website
- Information provided in AQMD Advisor
- Public notices in newspapers
- Targeted mailings

Rules With Approaching Compliance Deadlines *(conf'd)*

- Rule 1122 Solvent Degreasers
 - Control Standards for Batch-Loaded Cold Cleaners and Conveyorized (In-Line) Cold Cleaners- Rule 1122(d)(1) &(2)
 - (A) Prior to January 1, 2003, cleaning materials shall have a VOC content of 50 g/l or less, as used.
 - (B) Effective January 1, 2003, cleaning materials shall have a VOC content of 25 g/l or less, as used.
 - Degreasers Using NESHAP Halogenated Solvents -1122(g)
 - Effective January 1, 2003, any owner or operator of a solvent cleaning device as specified in paragraph (g)(1) shall use such equipment with an airless/air-tight cleaning system or approved alternative equipment that complies with the requirements of subdivision (f).

Keeping Abreast of Upcoming Rules

- Rules that are amended regularly
 - Rule 301: Fee Rule
 - Amended yearly in May
 - Becomes effective on AQMD's Fiscal Calendar starting July 1
 - Rule 219: Equipment Not Requiring a Written Permit
 - Amended routinely to reflect new equipment/processes that may or may not require written permits

Rules With Approaching Compliance Deadlines *(conf'd)*

- Rule 1425 Film Cleaning and Printing Operations
 - For optical wet-gate printing equipment, the compliance date to achieve a minimum overall reduction of perchloroethylene emissions by 85% is to be no later than March 18, 2003. The application for any control equipment to control the emissions shall be submitted no later than June 18, 2002. Rule 1425(c)(1)(B)
 - In lieu of meeting the emission limitation listed above, the facility that have equipment other than film cleaning machines and contact wet-gate printers (e.g. optical wet-gate printing), can choose to maintain a facility-wide emission level equal to or less than specified in Table 1 of this rule based on the distance to the nearest residential or commercial receptor. Rule 1425(e)(2)(B).

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Rules With Approaching Compliance Deadlines (cont'd)

- Coating Rules with Effective dates in CY 2003 to reduce VOC content/or monomer content
 - Rule 1130.1: Screen Printing Operations
 - Rule 1162: Polyester Resins Operations
 - Rule 1168: Adhesive and Sealant Applications
- Other Rules – applicable only to Refineries
 - Rule 1178: Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities
 - Rule 1189: Emissions from Hydrogen Plant Process Vents

Summary

- Highly advisable to keep current on compliance deadlines and upcoming rules and regulations
- Request to be added to AQMD's mailing list for notifications
- Subscribe to AQMD's publications or visit AQMD's website frequently for updates

Los Angeles Regional Water Quality Control Board

Dan Radulescu

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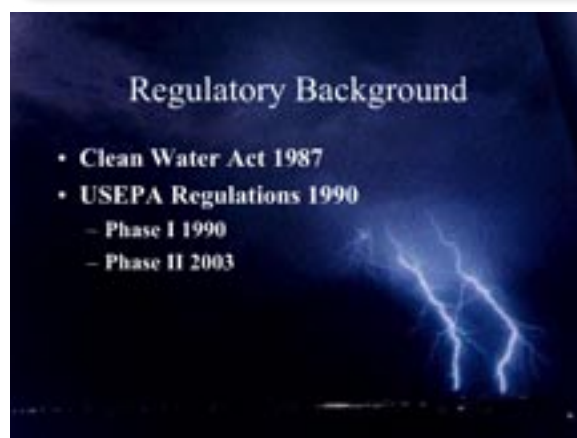
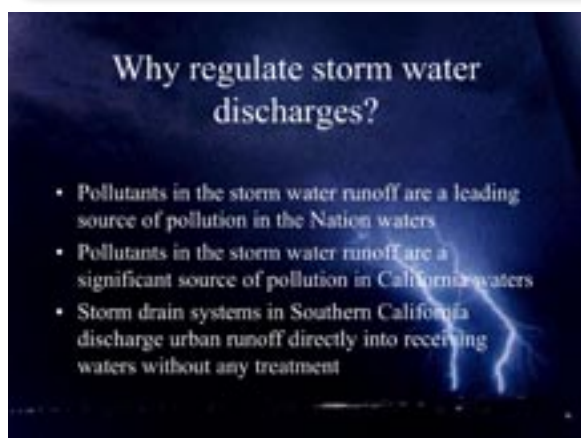
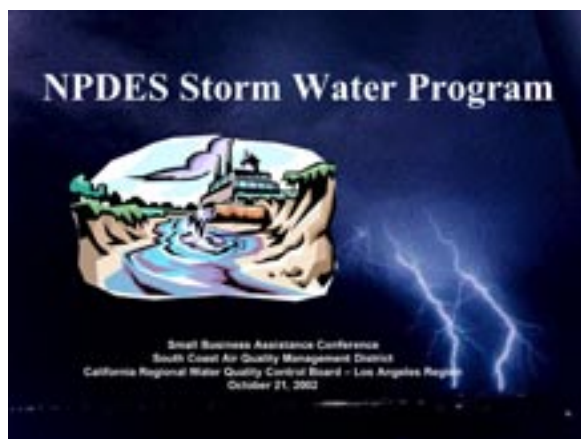
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Compliance Deadlines and Upcoming Rules

Los Angeles Regional Water Quality Control Board

Dan Radulescu, Water Resources Control Engineer





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Summary - Phase I

- General permits available for certain categories of industrial activities
- General permits available for construction activity disturbing > 5 acres
- Most MS4s > 100,000 in population have individual Phase I MS4 permits

Phase I Industries

- Facilities with Industrial manufacturing processes (e.g., oil refineries, iron smelting)
- Waste storage and handling facilities (landfills; Treatment Storage Disposal Facilities)
- Transportation facilities with repair and maintenance activity (fleet maintenance facilities; warehouses with onsite repair)
- Look alikes of the above (auto salvage yards, marinas with boat repair docks)

Summary - Phase II

- No Exposure certification exclusion now available in most states
- Regulated Small MS4s will need permit coverage by March 10, 2003
- Small Construction operators will need permit coverage by March 10, 2003

Regulatory Background

- USEPA Industrial General Permit 1990
- Statewide Industrial General Permit 1991 - SWRCB
- USEPA Multi-Sector Permit 1995
- Statewide General Permit Renewed 1997
- AB 2019 - Storm Water Enforcement Act of 1998
- USEPA Renewed Multi-Sector Permit 2000
- Statewide General Permit Renewal 2003

Regulatory Background

- Municipalities, Industries and Construction sites covered through permits issued by the Permitting Authority
- Industries, commercial businesses and construction sites also regulated by municipalities due to requirements in their Municipal SW permits

Online Resources

- USEPA HQ - www.epa.gov/owm/ow/
- State Water Resources Control Board <http://www.swrcb.ca.gov/stormwater/index>
- Los Angeles Regional Water Quality Control Board <http://www.swrcb.ca.gov/owq64.html/programs/stormwater/stormwater>
- Department of Toxic Substances Control <http://www.dts.ca.gov/>
- California Governor's Office of Emergency Services <http://www.oes.ca.gov/>
- County of Los Angeles <http://ladpw.org/wmd/NPDES/>
- City of Los Angeles <http://www.lacity.org/SAN/wpd/index.htm>

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Sanitation Districts of Los Angeles

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SIGNIFICANT NON-COMPLIANCE (SNC)

Paul Martyn
Head, Industrial Waste Section



SIGNIFICANT NON-COMPLIANCE (SNC)

FEDERAL REGULATION

CRITERIA

SIGNIFICANT NON-COMPLIANCE (SNC)

FEDERAL REGULATION

CRITERIA

DETERMINATION

HOW TO AVOID BEING IN SNC

GENERAL DISCUSSION



SNC CRITERIA

NUMERICAL VIOLATIONS

Criteria No. 1 to 4

Violations of Wastewater
Discharge Limits

NON-NUMERICAL VIOLATIONS

Criteria No. 5 to 8

Violations of Compliance
schedule milestones,
Failure to submit required
information

Federal Regulations - 40 CFR 403.8(f)(2)(vii)



SNC CRITERIA

NUMERICAL VIOLATIONS

1. Chronic Violations - 10% of measurements exceed daily max.,
2. TRC - 33% of measurements exceed 1.2 times the daily max.,
3. Any violations which causes interference and/or pass through,
4. Any discharges which causes imminent danger to health,

NON-NUMERICAL VIOLATIONS

5. Failure to install within 90 days of the required schedule date,
6. Failure to submit within 30 days of the required schedule date
7. Failure to accurately report non-compliance,
8. Any violation which will adversely affect the operation of the pretreatment program.



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SIGNIFICANT NON-COMPLIANCE (SNC)

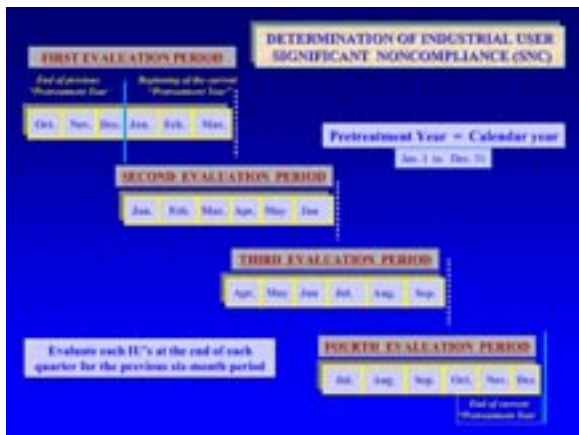
FEDERAL REGULATION

CRITERIA

DETERMINATION

HOW TO AVOID BEING IN SNC LIST

- Understand SNC Criteria.
- Perform the testing for the Self-Monitoring Report early in the reporting period and if violations are detected, resample and send the results to the CSD.
- Perform additional monitoring of the wastewater and again send the results to the Districts as soon as possible.
- Be diligent on all the Districts' submittal and reporting requirements.



SIGNIFICANT NON-COMPLIANCE (SNC)

FEDERAL REGULATION

CRITERIA

DETERMINATION

HOW TO AVOID BEING IN SNC

GENERAL DISCUSSION

SIGNIFICANT NON-COMPLIANCE (SNC)

FEDERAL REGULATION

CRITERIA

DETERMINATION

HOW TO AVOID BEING IN SNC

SNC TRAINING WORKSHOPS

- EVERY YEAR IN AUG AND SEPT.

FOR ANY QUESTIONS CALL

HARRY MEHTA

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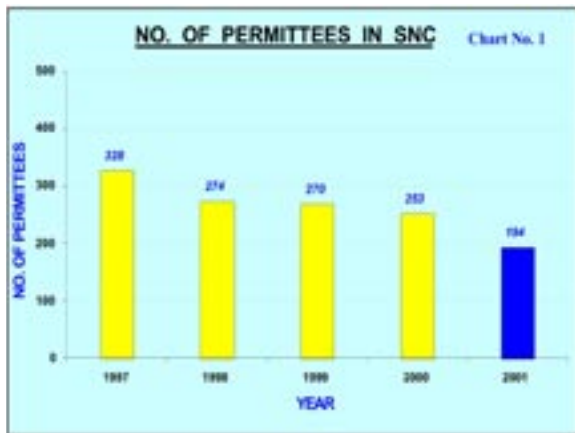
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Hazardous Waste Compliance Tips



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Glendale Office, (818) 551-2800

Why does this matter to all of us?

- ♦ A waste is considered hazardous if it could potentially threaten human health or the environment
- ♦ A waste that could explode, ignite, corrode metal or poison humans or other animals.
- ♦ One area of DTSC's work we can all related to is the School's Program. Under this program we conduct extensive environmental reviews to ensure that new schools are environmentally safe and children are protected from the potential effects of exposure to hazardous materials.



The Talk Today

- ♦ Information about the Toxic Substances Control Department/Hot Topics
- ♦ How companies are selected for inspection/Which regulatory agencies might do an inspection
- ♦ How to get ready for an Inspection/How to survive an inspection.

Statewide Compliance Division/Hot Topics



- ♦ Emergency regulations requiring more stringent reporting of unresolved manifest discrepancies involving wastes that could be used as weapons of terror, namely explosive and poisonous wastes.
- ♦ Better tracking of wastes imported or exported from the US.
- ♦ More transporter inspections.

How do I find Information re: what Cal/EPA and DTSC are up to?



- ♦ All of Cal/EPA's Boards and Department's are constantly upgrading our WEB pages.
- ♦ Our Web page has :
- ♦ Critical phone numbers, how to file complaints, Duty Officers, EPA #'s....
- ♦ Information on new regulations, policies, etc.
- ♦ Other compliance information

More on Hot Topics



- ♦ Disclosure statements for new permits.
- ♦ Better manifest and inspection tracking.
- ♦ Closer review of recycling issues.
- ♦ Consistent application of penalty regulations.



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Deciding Inspection Priorities

- ◆ Complaint
- ◆ May be related to other companies under investigation
- ◆ Work with other environmental agencies
- ◆ Communities at greater risk

Which agencies inspect hazardous waste generators

- Consolidated Uniform Program Agency (CUPA) Consolidation of 6 environmental programs at the local level)
- Department of Toxic Substances Control
- US Environmental Protection Agency
- Environmental Crimes Task Force

TIPS

- ◆ Understand inspector's role and which agencies inspect for HW rules
- ◆ Prepare records and HW areas for inspection
- ◆ Learn where to get more information

HW Inspection

- ◆ Frequency: usually at least every 3 years
- ◆ Format: (CUPA) may or may not use a checklist)
- ◆ Walk through facility and waste areas
 - Identify satellite accumulation areas, generator points,
- ◆ Interview you about activities and changes

Additional Tips

- ◆ Difficult to predict frequency of inspections/you may or may not receive notice
- ◆ Ask who the inspector represents and why they are there/see identification
- ◆ Our inspectors ask for consent
- ◆ Be prepared/even on a bad day
- ◆ Train your employees/more than one person

About the Inspectors

- ◆ Engineering or Science Degrees
- ◆ Environmentalism versus business
- ◆ Duty to protect human health and the environment



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Interacting with the Inspector

- ♦ Be professional
- ♦ Don't lie
- ♦ Communicate what you do and the pride you take in what you do
- ♦ Facilitate an efficient inspection
- ♦ Communicate any concerns/clear up any misunderstandings - double check

Record Review

- ♦ Manifests
 - Electronic surveillance/pre-inspection
 - Manifests are key document, make sure you have all the designated copies together and available for inspection



Format

- ♦ Really depends on the type of inspection and the inspector
- ♦ Interview/tell them what you do and how you do it
- ♦ Records Review/more later but be organized
- ♦ Walk Through/understand facility layout/follow any safety precautions/trade secret - let the inspector know in advance

Emergency Contingency Plan

- ♦ Make sure it is readily available and current
- ♦ Is this a living document - or just paper work
- ♦ Double check to insure that Hazardous waste requirements are included in the plan

Your Facility's Records

- ♦ Complete, organized and accessible
- ♦ Document your compliance efforts
- ♦ Show that it isn't just paperwork



Training

- ♦ Only those employees working with Hazardous wastes
- ♦ Specific records for each employee
- ♦ Have the documents available

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Employees



- ◆ Ensure they are trained
- ◆ Ensure they comply
- ◆ Employee attitude counts
- ◆ Employee participation is key factor
- ◆ Make them part of the process

Housekeeping

- ◆ Perception counts
- ◆ Neatness & Organization
- ◆ No spills/or odors, or drums with the lids off or drums that look like your kid's science project
- ◆ Overall appearance of your business
- ◆ Bad housekeeping is a major red Flag

Source Reduction Plan (SB 14)

- ◆ Required of generators routinely generating more than 26,400 lbs. of hazardous waste per year (approximately 3,165 gallons).
- ◆ The generators that need a Source Reduction Plan were required to submit a Summary Progress Report by September 1, 1999.

Outcomes

- ◆ No Violation: Inspection report
- ◆ Violations:
 - Summary of Violations for
 - Class I: Most serious: i.e. illegal disposal or repeat offenses. (HSC 25110.8.5)
 - Class II: Less serious: but are knowing, willful, or intentional, or enable the violator to benefit economically. (22 CCR 66260.10)
 - Notice to Comply for
 - Minor: Least serious; excludes chronic or recalcitrant violator. No economic benefit. (HSC 25117.6)

Walk Through

- ◆ Survey the process
- ◆ Identify the waste stream
- ◆ Review handling of waste streams
- ◆ Waste units and storage areas
- ◆ Any impacts on the environment



Violations and Problems

- ◆ Make sure you understand the problem
- ◆ Share useful information that might clear it up
- ◆ Don't ignore violations/respond

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Enforcement Options

- ◆ Informal: Letters, meetings, follow up inspections
- ◆ Formal: Administrative Orders
- ◆ Referrals to District Attorney
 - Criminal
- ◆ Maximum Penalties: \$25,000 per day of violation; 3 years in state prison

Incentive To Comply

- ◆ No business wants a reputation as an environmental violator
- ◆ Your competitors may benefit
- ◆ Costs: Lost management & staff time, attorney costs, sampling, fines or penalties, & environmental consultants
- ◆ No one benefits when caught for environmental violations!!

Compliance School

- ◆ The Compliance School is a joint effort between DTSC and the California Community College.
- ◆ It is administered through the Environmental and Safety Institute of Bakersfield College.
- ◆ The toll free number is 1-800-337-1422

Self- Inspection Helps you Get Ready

- ◆ Do your own inspection "The White Glove Test"
Do a self audit
- ◆ Review prior inspection reports/review your DTSC or CUPA file
- ◆ Review and organize documents
- ◆ Map/list generation points
- ◆ Review changes since last inspection
- ◆ Ask advice on any issues, questions, or potential problems

